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10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 SAN FRANCISCO DIVISION  
13

14 UNITED STATES OF AMERICA )

No. 09-0749 RS

15 v. )

16 STIPULATION AND ~~PROPOSED~~  
ORDER DOCUMENTING WAIVER

17 CHRISTOPHER BRYAN ABLETT, )

18 Defendant. )  
19 \_\_\_\_\_ )  
20  
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22 On April 21, 2010, defendant Christopher Bryan Ablett appeared before the Court for a  
23 status conference. Based on the parties' request for additional time to conduct investigation,  
24 review/produce discovery, and to file motions, the Court set a motions hearing/status conference  
25 for June 15, 2010. The parties requested, and the Court ordered that the exclusion of time under  
26 the Speedy Trial Act so that the defendant could review discovery, conduct an independent  
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28

1 investigation, and prepare motions to be filed.<sup>1</sup> The parties agree that, given the possibility of a  
2 sentence of death in this case, this case qualifies as an “unusual” or “complex” case under 18  
3 U.S.C. § 3161(h)(7)(B)(i).

4 With the agreement of the parties and with the consent of the defendant, the Court  
5 enters this order confirming the exclusion of time under the Speedy Trial Act from April 21,  
6 2010, through June 15, 2010. The parties agree and stipulate, and the Court finds and holds, as  
7 follows:

8 The ends of justice served by excluding the period from April 21, 2010, to June 15, 2010,  
9 from Speedy Trial Act calculations outweighs the interests of the public and the defendant to a  
10 speedy trial, by ensuring the effective preparation of counsel, in accordance with 18 U.S.C. §  
11 3161(h)(7)(A) and (B).

12 STIPULATED:

13  
14 DATED: April 27, 2010

/s/  
\_\_\_\_\_  
RICHARD MAZER, ESQ.  
Attorney for CHRISTOPHER BRYAN ABLETT

15  
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17 DATED: April 27, 2010

/s/  
\_\_\_\_\_  
CHRISTINE Y. WONG  
Assistant United States Attorney

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20 IT IS SO ORDERED.

21  
22 DATED: April 27, 2010

  
\_\_\_\_\_  
HON. RICHARD SEEBORG  
United States District Judge

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26 <sup>1</sup>On April 23, 2010, defendant filed a motion to dismiss. Under 18 U.S.C. Section  
27 3161(h)(1)(D), time is excluded from Speedy Trial Act calculations from the date the motion was  
28 filed until the conclusion of the hearing on the motion, currently scheduled for June 15, 2010.  
Nonetheless, out of an abundance of caution, the parties seek an order excluding the period from  
April 21, 2010, to June 15, 2010.